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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/385,020	08/30/1999	SHUNPEI YAMAZAKI	0756-2023	8609

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ERIC ROBINSON
PMB 955
21010 SOUTHBANK ST.
POTOMAC FALLS, VA 20165

EXAMINER

NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/385,020	Applicant(s) YAMAZAKI, SHUNPEI	
	Examiner Kevin M. Nguyen	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006 and 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/12/05, 11/22/05, 3/3/06, 4/3/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Response to amendment filed 03/03/2006 and supplemental amendment filed 03/13/2006. Claims 1-6 and 27-31 are cancelled, claims 7, 11, 15, 19 and 23 are amended, and claims 8-10, 12-14, 16-18, 20-22 and 24-26 are previously presented. Thus, claims 7-26 are currently pending in the application. The applicant's argument, see pages 8-10, and 1-4, with respect to the amended claims 7, 11, 15, 19 and 23 are not persuasive, and necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komoto et al (US 6,586,874) hereinafter Komoto in view of Sonehara (US Re.36,792).

4. As to claims 7, 11, 15, 19, 23, Komoto teaches an electronic device [alternative embodiments of a portable type electronic equipment, see Figs. 16 and 18, col. 10, lines 40-42], comprising:

A reflection type liquid crystal panel [36] comprising an active matrix substrate [32] and a counter substrate [33ⁱ], and a color filter adjacent to the counter substrate

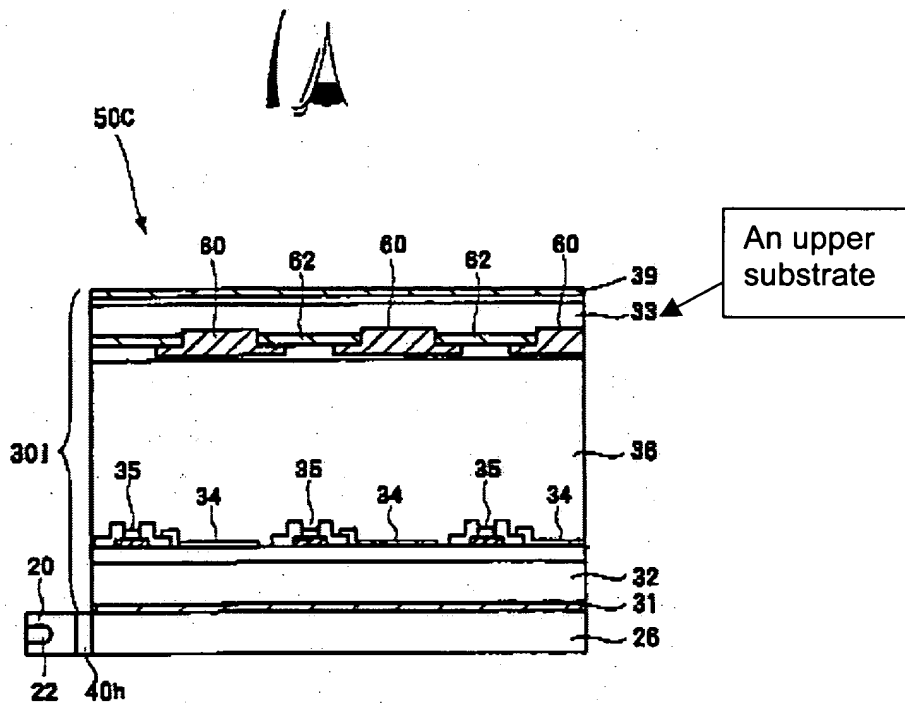


FIG. 16

[color filters 60 is adjacent to the upper substrate 33ⁱ, see Fig. 16], wherein said active matrix substrate having a plurality of thin film transistors [35] and a plurality of pixel electrodes [34] connected with the thin film transistors [see fig. 18, see col. 20, lines 26-42),];

a battery [battery cells, see col. 10, line 40];

a light source [22] comprising 3-color light emitting diodes for producing three primary colors for additive color mixing [see col. 19, lines 25-61];

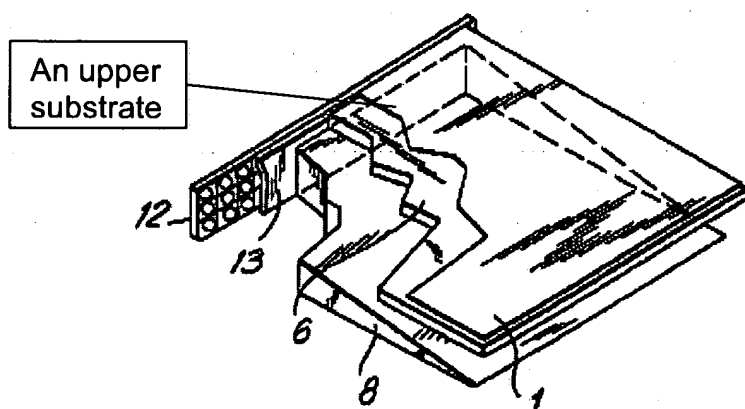
a reflection plate [20] located adjacent to the liquid crystal panel [36a, Fig. 18] with the light emitting diodes interposed therebetween, said light emitting diodes and the reflection plate arranged horizontally with respect to the liquid crystal panel [see Fig. 16 and 18, col. 20, lines 27-45];

wherein white light emitted from the light source [22] is introduced into said active matrix substrate [32, see Fig. 16, col. 19, lines 25-61] from sides of said liquid crystal panel is reflected on the pixel electrode so as not to pass through the active matrix substrate [see Fig. 18, col. 20, lines 27-45].

Accordingly, Komoto teaches all of the claimed limitations, except wherein white light emitted from the light source is introduced into said liquid crystal panel from sides of said counter substrate of said liquid crystal panel, wherein at least a part of the white light introduced to said counter substrate.

However, Sonehara teaches a related LCD device which includes the light source [12] for emitting and propagating the white ray into a plurality of substrates in a liquid crystal panel [6] from sides, wherein at least a part of the white ray of the light source [12] introduced to the plurality of substrates, which includes the upper substrate [see Fig. 12, col. 7, line 66 through col. 8, line 24].

FIG. 12



It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to replace the light source [12] in the active matrix liquid crystal panel of Komoto with the light source [22] for emitting and propagating the additional white ray into the upper substrate (corresponding to the counter substrate) in the active matrix liquid crystal panel of Komoto, as taught by Sonehara in order to achieve the benefit of improving color display device having a bright and high purity of color in saturation and superior color reproduction by combining color filters (see Sonehara, col. 1, line 57 through col. 2, line 2).

5. As to claim 8, Komoto teaches the upper substrate 33ⁱ (the counter substrate, see fig. 16).

6. As to claims 9, 14, 18, 22, 26, Komoto teaches the notebook type computers (see col. 10, lines 40-41).

7. As to claims 10, 12, 16, 20, 24, Komoto teaches the pixel electrodes comprise metal/insulating film/metal (MIM) junction type (see col. 18, lines 61-62).

8. As to claims 13, 17, 21, 25, Komoto teaches the transparent substrate 32 (fig. 16) is alkali glass (see fig. 16, col. 13, lines 38-49), and the upper substrate 33ⁱ (a counter substrate, see fig. 16) is a glass.

Response to Arguments

9. Applicant's arguments filed 03/03/2006, and 03/13/2006 have been fully considered but they are not persuasive.

Applicant argues that "insufficient to make out to establish a prima facie case rejection". In response, Examiner respectfully disagrees because a prima facie case of

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obvious is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art. Once such a case is established, it is incumbent upon appellant to go forward with objective evidence of unobviousness. See In re Fielder, 471 F.2d 640, 176 USPQ 300 (CCPA 1973). See In re Palmer, 172 USPQ 126 (CCPA 1971). See In re Reven, 156 USPQ 679 (CCPA 1968).

Applicant argues that "amended claims 7, 11, 15, 19 and 23 recite a color filter adjacent to a counter substrate." In response, the examiner respectfully submitted that applicant argues features in the amended claims 7, 11, 15, 19 and 23 which are newly recited. Thus, new grounds of rejection have been moot. See rejections above.

Applicant argues that "the Fresnel type reflection plate 200 (Fig. 39) of Komoto correspond with the active matrix substrate and the counter substrate, respectively. In response, the examiner respectfully submitted that applicant's amendment necessitated the new ground(s) of rejection. Therefore, the response is moot in view of the new ground(s) of rejection.

Applicant argues the rejection based on the combination of Komoto et al. (US 6,586,874) and Hirota et al. (US 5,926,240). In response, the examiner withdraws the rejection based on the combination of Komoto and Hirota because applicant's amendment necessitated the new ground(s) of rejection. Therefore, the response is moot in view of the new ground(s) of rejection.

For these reasons, the rejections have been maintained.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, a supervisor RICHARD A. HJERPE can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the Patent Application Information Retrieval system, see

<http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

Kevin M. Nguyen
Patent Examiner
Art Unit 2629

KMN
May 23, 2006



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

ⁱ It is respectfully submitted that in the case law stated "Drawing as a Reference", "Things clearly shown in reference patent drawing qualify as prior art features, even though unexplained by the specification". See *In re Mraz*, 173 USPQ 25 (CCPA 1972). "A claimed invention may be anticipated or rendered obvious by a drawing in a reference, whether the drawing disclosure by accidental or intentional. However, a drawing is only available as a reference for what it would teach one skilled in the art who did not have the benefit of applicant's disclosure". See *In re Meng*, 181 USPQ 94, 97 (CCPA 1974). "Absent of any written description in the reference specification of quantitative values, arguments based on measurement of a drawing are of little value in proving anticipation of a particular length". See *In re Wright*, 193 USPQ 332, 335 (CCPA 1977).